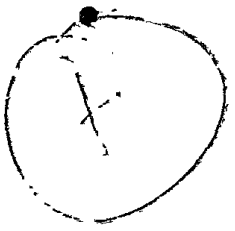


File No. 459 F
1905. 1905

Collection No.

Mysore Residency.

Pros. / Serial Nos. 117 — 119

Subject.

Reconstitution of the local Excise Committee.

Previous References.	Later References.
	F. 31/31

S. 97. (Blue).
DCFP—678S&P—(G-1085)—10 3-30—1,00,000.

S.N.117. Letter No. R.C. R. 222/30, dated the 10th September 1930, from the Collector, Civil and Military Station, Bangalore.

The Rules proposed by the Collector for the working of the Excise Advisory Committee are in accordance with the rules prescribed by the Government of Madras for Major ---- Municipalities, with suitable modifications.-Vide Standing Order No. 10 published on page 254 of the Madras Excise Manual Vol. IV.

Two drafts submitted for approval.

T. N. Thangavelu
Mudaliar
29-9-1930.

Assistant Secretary.

3. X. 30

I am not quite clear about the "Temperance Representative" - if he is a representative of the "Temperance Federation", we had / think say so in the order. In any case would Collector kindly show the "Temperance Representative" would ordinarily be elected & by whom?

4.10.30

To

The Collector, Civil and Military Station, Bangalore,

U.O.

OFFICE OF THE RESIDENT IN MYSORE
BANGALORE.
- 9 OCT 1930
Regd. ....10325....
File No.....

2.6.No 7681
4.6.10.30.

Yes. It should be "A representative nominated by the Bangalore Temperance Federation". Mr Baliga, No present may be nominated by Govt body

Jdc. 7.X.30

Secy 9.10

Para 3 ante

Necessary addition has been made to the draft already submitted which may perhaps now issue?

T. N. Thangavelu Mudaliar. 10-10-1930.

Secretary.

13.10.30

15.10

15/10

S.N. 118 & 119. Issued No. 8128-8129, dated the 25th October, 1930.

S.N. 120. Letter dated the 30th October, 1930, from the Honorary Secretary, Bangalore Trades Association.

Please see S.N. 118.

May be filed

T. N. Thangavelu Mudaliar 4-11-1930.

Assistant Secretary.

6.11.30

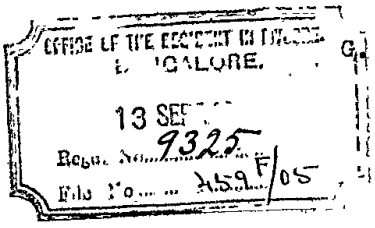
NOTES AND PRECIS.

S. 6.—R.P. L.—5-1922.—5,200.

No.R.C.R.222/30. Office of the Collector (Excise Branch),
C. & M. Station, Bangalore,
Dated the 10th September 1930.

Enc. Excise Manual Volume IV.

From



G. H. Cooke Esquire M.C., I.C.S.,
Collector,
Civil and Military Station,
BANGALORE.

To

The Secretary to the Hon'ble the Resident in Mysore
BANGALORE.

Sir,

Subject:- Liquor Prohibition and Local Option - Resolution of the Municipal Commission.

S.R. 116 (R)

Reference:- Your endorsement No.6544/459.F/1905 dated the 20th August 1930.

In reply to your above endorsement on the question of granting representation to the Municipal Commission on the Excise Advisory Committee, I have the honour to point out that when the Excise Committee was first constituted by the Hon'ble the Resident's Proceedings No.826 dated 11-2-1908, in accordance with the Government of India Resolution dated the 15th August, 1907, six out of the eight members of the Committee were actually chosen from the Municipal Commission, one to represent each of the VI Divisions.

S.N.9 (L)

S.N.1 (N)

2. Subsequently in 1922, the term of office of the members was fixed for a period of two years and in the Hon'ble the Resident's Proceedings No.2150 dated the 10th March 1923, the nomination of outsiders was approved when certain Municipal Commissioners had to give up office.

S.N.63 (H)

3. Representation on the Committee was given to various public bodies from time to time and the Committee now consists of the following members:-

1. Collector.

i. Collector (President of the Committee).

ii. Commissioner of Police.

iii. Station Staff Officer.

iv. Rao Sahib E. R. Adiappa Pillay.

v. Dr. A. P. Fernandez.

vi. Mr. Abdul Latiff (Municipal Commissioner I & II Divisions).

vii. " B. K. Baligia (Temperance Federation).

viii. " B. A. Madhavaraya Mudaliar (Municipal Commissioner, III Division).

ix. " Marlam (Bangalore Trades Association).

x. " V. G. Shunker.

4. In view of the recommendation of the President, Municipal Commission, the Excise Committee may be re-constituted as follows, in accordance with the Rules of Standing Order No.10, Madras Excise Manual, Volume IV, necessary changes being made to suit the circumstances existing in the Civil and Military Station

1. Collector of the District (Collector, C. & M. Station)

2. Superintendent of Police (Commissioner of Police, Civil and Military Station).

3. The Station Staff Officer.

4. Four members of the Municipal Council elected by the Municipal Council, who shall demit office when they cease to be members of the Municipal Council.

5. A Temperance Representative (Mr.B.K.Baligia).

6. One person elected from amongst the licensees.

7. One representative to be nominated by the Trades Association.

Such a Committee, consisting of ten members, would, I consider, adequately represent all interests in the Station. I have not suggested the inclusion of a Gazetted Officer of the Excise Department, but would include the Station Staff Officer. I do not think that there is any necessity to reserve a place in the Committee for a representative of the depressed classes.

5. The

5. The following rules are also suggested for the working of the Committee:-

1. The chairman of the Committee shall be the Collector and President, Municipal Commission.

2. For the elected seats, namely, the four members of the Municipal Commission, the Temperance Representative and the Trades Association Representative, the Collector shall give at least one month's notice to the body concerned to elect its representatives and communicate the result to him.

3. The representative of the Excise licensees shall be nominated by the Collector.

4. The term of office of the Committee shall be for a period of three years.

5. If any body allowed to elect representatives fails to elect its representative or representatives within such date as may be prescribed, the Collector shall himself nominate a representative or representatives from that body.

6. When a vacancy occurs in the committee during its term of office, the Collector shall at once arrange to fill the vacancy either by nominating a representative, or, in the case of elected seats, by calling upon the body concerned to elect a substitute. Should the body concerned fail to take action, the Collector shall nominate a suitable person.

7. The quorum for a meeting of the committee shall be five; and in the event of less than five members being present, the meeting shall be adjourned to some future date and reasonable notice of date fixed for the adjourned meeting shall be given to all the members of the Committee. For such adjourned meetings, a quorum of three shall be sufficient.

8. All questions discussed shall be decided by voting and the opinion of the majority shall prevail. The Chairman shall have a second or casting vote in the event of an equal division of votes.

9. Generally 10 days' notice shall be given of the questions to be discussed at any meeting.

10. In the minutes of each meeting the reasons for the decisions taken shall be briefly but clearly stated and the number of votes for or against the proposal before the Committee or any amendment thereto shall be recorded.

11. The chairman shall within 14 days of each meeting communicate a copy of the minutes of the meeting to the members of the Excise Committee.

12. The duties of the Advisory Committee will be to make recommendations regarding the number and location of shops under the following kinds of licences;-

    (a) Shops for the retail sale of toddy, country spirits, opium, hemp drugs and

    (b) Foreign liquor taverns and Beer shops.

13. The Committee shall meet

1. for the purpose of rule 12 within the 1st week in November to consider, subject to rule 15, the preliminary list of all the Shops of the kinds mentioned in items (a) and (b) of Rule 12 as entered in the preliminary list, and shall immediately publish this list together with a notification that objections thereto may be submitted in writing to the Committee not more than 21 days from the date of such publication.

2. not later than one month from the date of publication of the preliminary lists to consider objections, if any, thereto and to modify, if it thinks fit, the preliminary list in respect only of the specific objections received; if no objections are received within the prescribed period of 21 days, no meeting under this rule need be held, and the preliminary list already approved by the Committee shall be considered to be finally recommended.

3. when convened by the Collector for the purpose of giving advice on matters connected with excise;

4. when convened by a requisition addressed to the Collector by not less than six members in order to consider and make representations regarding any specific matter affecting the excise administration in the Station.

14. A list of fixed fee liquor licences other than F.L.17 (Medicated Wines) will be circulated to the members of the Committee for any advice they may have to offer:-

(a) within the 1st week in March in respect of those licences proposed to be issued for the ensuing lease.

(b) from time to time regarding any further proposals for change of site or issue of licences.

15. The Committee shall communicate its recommendations on the matters referred to in rule 14 to the Collector within ten days of the circulation and if the Committee fails so to communicate, the Collector may proceed himself to pass orders regarding any or all of the matters referred to.

16. The Committee shall not during its term of office recommend a reduction in the number of excise shops mentioned in (a) and (b) of rule 12 and rule 14 above existing on the date when it came to office by more than 1/8 of each kind of shop, and it shall not be competent to any succeeding Committee further to reduce the number to a lower figure than 1/5 of the number existing when the Committee was re-constituted in 1930.

17. The Collector shall ordinarily accept the recommendations of the Committee and in cases in which he differs from it, he shall report his reasons with a copy of the recommendations of the Committee and a copy of his order to the Hon'ble the Resident.

18. A recommendation of the Committee shall not be amended by itself except by the vote of a two-thirds majority of the members.

6. Should the above proposals be adopted in the Station, I suggest that the present committee may hold office until 30th November 1930, and then be dissolved. A new Municipal Commission will then have been elected, and the Commission and the Bangalore Trades Association may be requested to elect representatives afresh. The Municipal Commission may then be requested to elect four representatives on the Committee. The term of office of each member on the committee may be for a period of three years, as shown in the Rules for the working of the Committee. A separate report will be submitted for publishing the names of the personnel of the Committee in the Residency Orders, each time a new Committee is formed, after a re-election of the Municipal Commission.

11.9.30.

Collector.

11/9/30

MSR/10-9.

Proceedings of the Hon'ble the Resident in Mysore.

No. 8128 Dated Bangalore 25th Oct. 1930.

Read:-

Resolution of the Government of India in the Finance Department No. 5486-Exc., dated the 16th August, 1927 passing orders on the recommendations contained in chapters XI & XII of the Report of the Indian Excise Committee 1905-1906.

Letter No. 1645/30, dated the 4th July, 1930, from the President, Municipal Commission, Civil & Military Station, Bangalore.

S.N. 117. Letter No. M.C.R.222/30, dated the 10th September, 1930, from the Collector, Civil & Military Station, Bangalore.

O R D E R.

In supersession of previous orders on the subject, the Hon'ble the Resident is pleased to direct that the local Excise Committee for the Civil and Military Station, Bangalore, for purposes of paragraph 5 of the Resolution of the Government of India read above shall consist of the following members, with effect from the 1st December, 1930:-

1. Collector and President, Municipal Commission, Civil and Military Station, Bangalore.
2. Commissioner of Police, Civil and Military Station, Bangalore.
3. The Station Staff Officer, Bangalore.
4. Four members of the Municipal Commission, Civil and Military Station, Bangalore elected by the Municipal Commission, who shall admit office when they cease to be members of the Municipal Commission.
5. A Representative nominated by the Bangalore Temperance Federation.
6. One person elected from amongst the licensees.
7. One representative to be nominated by the Trades Association.

2. He is also pleased to prescribe the following rules for the working of the above Committee:-

1. The chairman of the Committee shall be the Collector and President, Municipal Commission.

2. For the elected seats, namely, the four members of the Municipal Commission, the representative nominated by the Bangalore Temperance Federation and the Trades Association representatives, the Collector shall give at least one month's notice to the body concerned to elect its representatives and communicate the result to him.

3. The representative of the Excise licensees shall be nominated by the Collector.

4. The term of office of the Committee shall be for a period of three years.

5. If any body allowed to elect representatives fails to elect its representative or representatives within such date as may be prescribed the Collector shall himself nominate a representative or representatives from that body.

6. When a vacancy occurs in the committee during its term of office, the Collector shall at once arrange to fill the vacancy either by nominating a representative, or, in the case of elected seats, by calling upon the body concerned to elect a substitute. Should the body concerned fail to take action, the Collector shall nominate a suitable person.

7. The quorum for a meeting of the committee shall be five; and in the event of less than five members being present the meeting shall be adjourned to some future date and reasonable notice of date fixed for the adjourned meeting shall be given to all the members of the Committee. For such adjourned meetings, a quorum of three shall be sufficient.

8. All questions discussed shall be decided by voting and the opinion of the majority shall prevail. The Chairman shall have a second or casting vote in the event of an equal division of votes.

9. Generally 10 days' notice shall be given of the questi to be discussed at any meeting.

10. In the minutes of each meeting the reasons for the decisions taken shall be briefly but clearly stated and the number of votes for or against the proposal before the Committee or any amendment thereto shall be recorded.

11. The chairman shall within 14 days of each meeting communicate a copy of the minutes of the meeting to the members of the Excise Committee.

12. The duties of the Advisory Committee will be to make recommendations regarding the number and location of shops under the following kinds of licences:-

(a) Shops for the retail sale of toddy, country spirits, opium, hemp drugs and

(b) Foreign liquor taverns and Beer shops.

13. The Committee shall meet

1. for the purpose of rule 12 within the 1st week in November to consider, subject to rule 15, the preliminary list of all the shops of the kinds mentioned in items (a) and (b) of Rule 12 as entered in the preliminary list, and shall immediately publish this list together with a notification that objections thereto may be submitted in writing to the Committee not more than 21 days from the date of such publication,

2. not later than one month from the date of publication of the preliminary lists to consider objections, if any, thereto and to modify, if it thinks fit, the preliminary list in respect only of the specific objections received; if no objections are received within the prescribed period of 21 days, no meeting under this rule need be held, and the preliminary list already approved by the Committee shall be considered to be finally recommended;

3. when convened by the Collector for the purpose of giving advice on matters connected with excise;

4. when convened by a requisition addressed to the Collector by not less than six members in order to consider and make representations regarding any specific matter affecting the excise administration in the station.

14. A list of fixed fee liquor licences other than F.L.17 (Medicated wines) will be circulated to the members of the Committee for any advice they may have to offer:-

(a) within the 1st week in March in respect of those licences proposed to be issued for the ensuing year;

(b) from time to time regarding any further proposals for change of site or issue of licences.

15. The Committee shall communicate its recommendations on the matters referred to in rule 14 to the Collector within ten days of the circulation and if the Committee fails to to communicate, the Collector may proceed himself to pass orders regarding any or all of the matters referred to.

16. The Committee shall not during its term of office recommend a reduction in the number of excise shops mentioned in (a) and (b) of rule 12 and rule 14 above existing on the date when it come to office by more than 1/8 of each kind of shop, and it shall not be competent to any mmxm succeeding Committee further to reduce the number to a lower figure than 1/8 of the number existing when the Committee was re-constituted in 1950.

17. The Collector shall ordinarily accept the recommendations of the committee and in cases in which he differs from it, he shall report his reasons with a copy of the recommendations of the Committee and a copy of his order to the Hon'ble the Resident.

ii. A recommendation of the Committee shall not be amended by itself except by the vote of a two-thirds majority of the members.

o/c.

Major
SECRETARY TO THE RESIDENT

To be published in the Residency Orders.

The Collector, Civil & Military Station, Bangalore, with the intimation that the present Committee may hold office until 30th November, 1939 and then be dissolved.

The President, Municipal Commission, Civil & Military Station Bangalore.

Headquarters, Madras District, Bangalore.

The Bangalore Traders Association, Bangalore.

PJ.

PROCEEDINGS OF THE HON'BLE THE RESIDENT IN MYSORE.

No. 8128, dated Bangalore, the 25th October 1930.

READ :—

Resolution of the Government of India in the Finance Department, No. 5086-Exc., dated the 15th August, 1907 passing orders on the recommendations contained in Chapters XI and XII of the Report of the Indian Excise Committee 1905-1906.

Letter No. 1545/30, dated the 4th July, 1930, from the President, Municipal Commission, Civil and Military Station, Bangalore.

Letter No. R.C.R. 222/30, dated the 10th September, 1930, from the Collector, Civil and Military Station, Bangalore.

ORDER.

In supersession of previous orders on the subject, the Hon'ble the Resident is pleased to direct that the local Excise Committee for the Civil and Military Station, Bangalore, for purposes of paragraph 5 of the Resolution of the Government of India read above shall consist, of the following members, with effect from the 1st December, 1930 :—

(1) Collector and President, Municipal Commission, Civil and Military Station Bangalore.

(2) Commissioner of Police, Civil and Military Station, Bangalore.

(3) The Station Staff Officer, Bangalore.

(4) Four members of the Municipal Commission, Civil and Military Station, Bangalore, elected by the Municipal Commission, who shall demit office when they cease to be members of the Municipal Commission.

(5) A representative nominated by the Bangalore Temperance Federation.

(6) One person elected from amongst the licensees.

(7) One representative to be nominated by the Trades Association.

2. He is also pleased to prescribe the following rules for the working of the above Committee :—

1. The Chairman of the Committee shall be the Collector and President, Municipal Commission.

2 For the elected seats, namely, the four members of the Municipal Commission, the representative nominated by the Bangalore Temperance Federation and the Trades Association representatives, the Collector shall give at least one month's notice to the body concerned to elect its representatives and communicate the result to him.

3. The representative of the Excise licensees shall be nominated by the Collector.

4. The term of office of the Committee shall be for a period of three years.

5. If any body allowed to elect representatives fails to elect its representative or representatives within such date as may be prescribed the Collector shall himself nominate a representative or representatives from that body.

6. When a vacancy occurs in the Committee during its term of office, the Collector shall at once arrange to fill the vacancy either by nominating a representative, or, in the case of elected seats, by calling upon the body concerned to elect a substitute. Should the body concerned fail to take action, the Collector shall nominate a suitable person.

7. The quorum for a meeting of the Committee shall be five; and in the event of less than five members being present the meeting shall be adjourned to some future date and reasonable notice of date fixed for the adjourned meeting shall be given to all the members of the Committee. For such adjourned meetings, a quorum of three shall be sufficient.

8. All questions discussed shall be decided by voting and the opinion of the majority shall prevail. The Chairman shall have a second or casting vote in the event of an equal division of votes.

9. Generally 10 days' notice shall be given of the questions to be discussed at any meeting.

10. In the minutes of each meeting the reasons for the decisions taken shall be briefly but clearly stated and the number of votes for or against the proposal before the Committee or any amendment thereto shall be recorded.

11. The Chairman shall within 14 days of each meeting communicate a copy of the minutes of the meeting to the members of the Excise Committee.

12. The duties of the Advisory Committee will be to make recommendations regarding the number and location of shops under the following kinds of licences :—

(a) Shops for the retail sale of toddy, country spirits, opium, hemp drugs, and

(b) Foreign liquor taverns and beer shops.

13. The Committee shall meet—

(1) for the purpose of rule 12 within the 1st week in November to consider, subject to rule 15, the preliminary list of all the shops of the kinds mentioned in items (a) and (b) of rule 12 as entered in the preliminary list, and shall immediately publish this list together with a notification that objections thereto may be submitted in writing to the Committee not more than 21 days from the date of such publication;

(2) not later than one month from the date of publication of the preliminary lists to consider objections, if any, thereto and to modify, if it thinks fit, the preliminary list in respect only of the specific objections received; if no objections are received within the prescribed period of 21 days, no meeting under this rule need be held, and the preliminary list already approved by the Committee shall be considered to be finally recommended;

(3) when convened by the Collector for the purpose of giving advice on matters connected with excise;

F.M. Rule 46/34.

14. Within the 1st week in March each year, a list of fixed fee liquor licences other than F.L.17 (Medicated Wines) will be circulated to the members of the Committee for any advice they may have to offer in respect of those licences proposed to be issued for the ensuing lease.

14A. All applications for the change of location or grant of any new fixed fee licence, if not refused by the Collector, will be placed before a meeting of the Excise Advisory Committee for any advice they may have to offer.

number of excise shops mentioned in (a) and (b) of rule 12 ate when it came to office by more than 1/8th of each kind of shop, and it shall not be competent to any succeeding Committee further to reduce the number to a lower figure than 1/5th f the number existing when the Committee was reconstituted in 1930.

17. The Collector shall ordinarily accept the recommendations of the Committee and in ases in which he differs from it, he shall report his reasons with a copy of the recommendations of the Committee and a copy of his order to the Hon'ble the Resident.

18. A recommendation of the Committee shall not be amended by itself except by the ote of a two-thirds majority of the members.

G. LOCH, Major,
Secretary to the Resident.

DEPARTMENT.

BRANCH.

File No.

Serial No.

Draft Letter / Memorandum / Telegram

Class for telegrams — Ordinary / Express / Urgent* / Priority / Clear Line† — *Only for Foreign Telegrams. †Not for Foreign Telegrams.

No. 8/29 Dated 25th October 1930

To

The President,
The Bangalore Rate Payers' Association,
B a n g a l o r e.

To be issued on	Issued on
1st Reminder	
2nd Reminder	
3rd Reminder	

Heading :

Case or Diary No.

If post copy of telegram required

Date of despatch of above

List of enclosures /

(Code word for telegrams.)

To be typed up from draft I

Reference his letter dated the 20th June, 1930.

A copy of proceedings of the Hon'bl the Resident No. 8/29 87. dated the 25th Oct 1930, is enclosed.

Sd/ R.S. Budd.
Secretary to the Resident.

T. N. T. Rangavalu Mudaliar
29-9-1930.

S. 5.

MGIPC—S1—1331(G1)DCF—(G-502)—17-8-28—40,000 Pads.

10/12 St Mark's Road,
BANGALORE TRADES ASSOCIATION,

Bangalore, 30th October 1930

The Secretary to the Resident,
Bangalore.

Sir,

I have the honour to acknowledge receipt of your letter No.8128 dated the 25th instant, regarding the local Excise Committee, and have circulated the same for the information of Members of this Association.

S.N.118

OFFICE OF THE RESIDENT IN MYSORE.
BANGALORE.
-1 NOV. 1930
No. 11137
File No. 455.E.106

I have the honour to remain
Sir,
Your most obedient servant,
Honorary Secretary.

BS.